

CHAPTER 75-05-05 SPECIALIZED SERVICES

Section

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75-05-05-01. Mental retardation-developmental disabilities program - Case management.

1. The regional director shall designate a regional mental retardation-developmental disabilities program administrator.
2. The average caseload of the mental retardation-developmental disabilities case management unit must be no more than sixty clients per case manager.
3. Mental retardation-developmental disabilities case management eligibility must be determined in accordance with chapter 75-04-06. Individuals found eligible for mental retardation-developmental disabilities case management prior to the effective date of chapter 75-04-06 may be maintained in services in accordance with departmental policy.
4. The human service center shall maintain and implement written procedures to provide for:
 - a. Client intake and admission;
 - b. Review of client rights upon intake and at least annually thereafter for adult clients;
 - c. Review of 34 CFR 303, part H, parental rights for infants and toddlers, age zero through two years, in accordance with part H requirements;
 - d. Assignment of a mental retardation-developmental disabilities case manager;
 - e. Development of case planning and an individual service plan;
 - f. The completion of program reviews;

- g. Completion of level of care screening;
 - h. Completion of preadmission screening annual resident review;
 - i. A regional referral committee to coordinate adult referrals;
 - j. A regional review team to review out-of-home placement options for children;
 - k. Interregional transfers;
 - l. Case closings;
 - m. Orientation and training of developmental disabilities case managers;
 - n. Periodic record reviews; and
 - o. A regional quality improvement planning process.
5. A human service center that operates programs subject to licensure under chapter 75-04-01 shall maintain a current license from the division of developmental disabilities for those programs. Programs in compliance with chapter 75-04-01 are not subject to human service center licensure standards.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-02. Vocational rehabilitation.

- 1. The regional director shall designate a full-time vocational rehabilitation administrator.
- 2. The vocational rehabilitation administrator shall establish performance goals and objectives.
- 3. The vocational rehabilitation administrator shall follow the appeals procedures outlined in chapter 75-01-03 and shall inform all clients or potential clients of the client assistance program.
- 4. Client files must be monitored to assure appropriateness of services. At least ten percent of the client files must be reviewed annually using the case review schedule. A report of the results and recommendations of the review must be available to the regional director.

5. The vocational rehabilitation administrator monitors the obligation of funds and bills paid to ensure that funds are appropriately expended or canceled.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-03. Supervision and direction of county social services.

1. The regional director shall designate a regional representative of county social services programs.
2. With respect to child protective services, the regional representative shall:
 - a. Review all reports of suspected child abuse and neglect in the region and determine if the reports are assessed in accordance with North Dakota Century Code chapters 50-25.1 and 75-03-19;
 - b. Determine if the assessment completion timeframes and appropriate child protective services are provided in accordance with North Dakota Century Code chapter 75-03-19;
 - c. Provide technical assistance in child abuse and neglect services;
 - d. Provide final decisions for all child abuse and neglect cases in the region;
 - e. Provide investigative services for reports of institutional child abuse or neglect in the region;
 - f. Ensure county access to a multidisciplinary child protection team;
 - g. Ensure that child abuse and neglect information is entered into the department's data base;
 - h. Provide or arrange for an orientation in children's services for appropriate county social service board personnel.
3. With respect to foster care services for children, the regional representative shall:
 - a. Monitor all placements and review all court orders for compliance with the provisions of title I of the Adoption Assistance and Child Welfare Act of 1980 [Pub. L. 96-272, 42 U.S.C. 670 et seq.] and section 427 of title IV-B of the Social Security Act [42 U.S.C. 627];

- b. Chair each county or multicounty permanency planning committee in the region and ensure conformance with section 75-03-14-06;
 - c. Review all foster care placements and pending placements with the appropriate permanency planning committee;
 - d. Issue approvals or denials for group, therapeutic foster care, and residential foster care placements for the region;
 - e. Review all foster care grievances in the region to determine whether they are carried out in compliance with state law and policy;
 - f. Maintain a regional log of all children in foster care;
 - g. Approve and arrange for specialized and shelter foster care service payments for all appropriate cases in the region;
 - h. Develop and supervise special projects in the region;
 - i. Conduct an annual licensing study of each group home or residential child care facility in the region and forward the study and recommendation to the department;
 - j. Review each family foster care licensing study conducted in the region, approve and issue the license, or deny the license and provide appropriate notice to the applicant;
 - k. Revoke foster care licenses and provide notice to the licensee;
 - l. Provide technical assistance and interpretation of policies, procedures, rules, and laws related to foster care services; and
 - m. Provide or arrange for regular inservice training related to foster care issues for county social workers, division of juvenile services staff, and private agencies.
4. With respect to early childhood services (day care services), the regional representative shall:
- a. Approve, deny, or revoke all early childhood home, group, and center license applications, license applications for preschool educational facilities, and applications for standard compliance certification, and provide formal notification to all applicants;
 - b. Provide technical assistance regarding policies, procedures, rules, and laws for early childhood services in the region; and

- c. Provide or arrange inservice training for early childhood licensing staff regionwide.
- 5. With respect to unmarried minor parent services, the regional representative shall provide technical assistance to the county social service board for services to unmarried minor parents.
- 6. With respect to children's special health services, the regional representative shall:
 - a. Provide technical assistance to county social service staff in the administration of children's special health services; and
 - b. Assist in and coordinate with the department's division of children's special health services and the county social service boards for the provision of all children's special health field clinics.
- 7. With respect to adult family foster care licensure services, the regional representative shall:
 - a. Review each adult family foster care licensing study conducted in the region, approve and issue the license, or deny the license and provide timely notice to applicant;
 - b. Revoke adult family foster care licenses and provide notice to the licensee; and
 - c. Provide technical assistance and interpretation of policies, procedures, rules, and laws related to adult family foster care licensure standards.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996; March 1, 1997.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-04. Community correction program. Repealed effective December 1, 1991.

75-05-05-05. Aging services. The regional director shall designate a regional aging services program administrator. The regional aging services program administrator shall:

- 1. Support the state plan on aging and elder rights advocacy activities in the region.

2. Conduct or arrange for public hearings concerning the state plan on aging, including the state funding plan for the various titles of the Older Americans Act as amended [Pub. L. 89-73, 42 U.S.C. 3001 note].
3. Publish and distribute information, including a newsletter published a minimum of six times per year to older individuals, agencies, and organizations serving older individuals.
4. Provide and document technical assistance to service providers on:
 - a. Stewardship activities, as identified by the administration in aging;
 - b. Program and service development and implementation;
 - c. Targeting resources and services;
 - d. Funding requests under the various titles of the Older Americans Act, as amended, [Pub. L. 89-73, 42 U.S.C. 3001 note];
 - e. The Older Americans Act audit resolution; and
 - f. Program and service accessibility.
5. Provide and document technical assistance to family members, agencies, organizations, and individuals working with older individuals.
6. Review and evaluate Older Americans Act funding requests and grant or contract revisions for fiscal and programmatic accuracy and compliance with grant application and contracting requirements.
7. Conduct and document a minimum of two formal onsite programmatic and fiscal assessments of all Older Americans Act funded service providers, one of which must be a yearend assessment.
8. Monitor monthly case manager requests for reimbursements and payments and resolve any discrepancies.
9. Provide or arrange for program training for Older Americans Act funded service providers, as appropriate.
10. Provide or arrange community education which supports selected federal and state initiatives or state plan objectives.
11. Implement selected federal and state aging program initiatives included in the state plan on aging.
12. Provide training and technical assistance to entities administering mill levy match funds under North Dakota Century Code section 57-15-56.

13. Provide and document the provision of information and supportive activities for aging service programs, including adult protective services, home and community-based services, and long-term care ombudsman.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-06. Long-term care ombudsman program. Repealed effective December 1, 1991.